



BUTTACI LEARDI & WERNER  
ATTORNEYS AT LAW

# MEMO ENDORSED

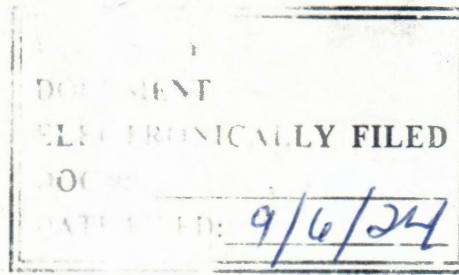
BUTTACI LEARDI & WERNER LLC  
212 Carnegie Center, Suite 202  
Princeton, NJ 08540  
609-799-5150  
609-799-5180 FAX  
[www.buttaclaw.com](http://www.buttaclaw.com)

CHRISTOPHER B. BLADEL  
MEMBER, NY & NJ BARS  
DIRECT EXTENSION: 135  
E-MAIL: [CBBLADEL@BUTTACILAW.COM](mailto:CBBLADEL@BUTTACILAW.COM)

September 6, 2024

## VIA ELECTRONIC CASE FILING

The Honorable Louis L. Stanton, U.S.D.J.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312



Re: Atlantic Neurosurgical Specialists, P.A. v. Multiplan, Inc.,  
Civil Action No.: 1:20-cv-10685 (LLS) ("the 10685 Action")

Hott, Jonathan, M.D. v. MultiPlan, Inc.,  
Civil Action No.: 1:21-cv-02421 (LLS) (the "02421 Action")

Dear Judge Stanton:

Our firm is counsel to Plaintiff Atlantic Neurosurgical Specialists, P.A. ("ANS") and Jonathan Hott, M.D. ("Dr. Hott") in the above-referenced matters, which have been consolidated for purposes of discovery. With the consent of counsel for defendant MultiPlan, Inc. ("MultiPlan"), ANS and Dr. Hott submit this Letter Motion respectfully requesting that the Court enter the enclosed "Discovery and Confidentiality Order in Consolidated Cases."

By way of background, prior to the Court's entry of the Stipulation and Consent Order, which consolidated the above matters for discovery purposes, the parties submitted, and the Court entered, a Discovery and Confidentiality Order in the 10685 Action. [D.E. 31]. ANS and Dr. Hott have prepared subpoenas to third party health insurers and claims administrators for group health plans seeking, *inter alia*, (1) contracts between the insurers/claims administrators and MultiPlan; and (2) the administrative records, which will contain HIPAA-protected information, for the claims for benefits at issue in this case.

Our review of the docket indicates that although the Discovery and Confidentiality Order was entered in the 10685 Action, there was no corresponding Discovery and Confidentiality Order adopted in Dr. Hott's case and the Stipulation and Consent Order that consolidated these matters

BLW

The Honorable Louis L. Stanton, U.S.D.J.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
September 6, 2024

for purposes of discovery did not expressly incorporate the Confidentiality Order in the 10685 Action to both cases—although the parties have conducted discovery in both matters consistent with the terms of the existing Confidentiality Order.

Plaintiffs anticipate the health insurers and claims administrators to which they will issue subpoenas will object to the disclosure and production of information each may deem to be “confidential, “proprietary,” and/or protected health information subject to HIPAA privacy laws. Accordingly, the parties respectfully request that Your Honor enter the enclosed “Discovery and Confidentiality Order in Consolidated Cases,” which Plaintiffs will provide to the insurers and claims administrators concurrent with service of all subpoenas to address potential concerns each entity may have regarding compliance therewith.

We thank the Court in advance for its attention to this matter.

Respectfully submitted,

BUTTACI LEARDI & WERNER LLC

*/s/ Christopher B. Bladel*

Christopher B. Bladel  
An Attorney of the Firm

cc: All Counsel of Record (*via ECF only*)

Done  
9/6/24  
LLS